

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN
VIOLATIONS REPORTED IN F. N. J. NOS 22301-22350**

Adulteration, Section 402 (a) (1), the article contained an added poisonous substance which may have rendered it injurious to health; Section 402 (a) (2), the article contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406; Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (1), a valuable constituent had been in part omitted or abstracted from the article; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength; and, Section 406 (a), a poisonous or deleterious substance was added to food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice.

Misbranding, Section 403 (a), the labeling of the article was false and misleading; Section 403 (e) (2), the article was in package form, and it failed to bear a label containing an accurate statement of the quantity of contents; and, Section 403 (g) (1), the article purported to be and was represented as a food for which a definition and standard of identity has been prescribed by regulations, and it failed to conform to such definition and standard.

CANDY

22301. Candy. (F. D. C. No. 34835. S. Nos. 23-420/1 L.)

INFORMATION FILED: 5-20-53, N. Dist. Ill., against Cook Chocolate Co., a corporation, Chicago, Ill.

SHIPPED: Between 10-31-51 and 12-13-51, from Illinois to New York.

LABEL IN PART: (Box) "Buy Vita Sert by the Box Over 2 lbs. of Delicious Chocolate Plus 24 Days' Supply of 6 Essential Vitamins"; (bar wrapper) "Sweet Chocolate Candy Contains Sweet Chocolate and Vitamins [or "Sweet Milk Chocolate Contains Sweet Milk Chocolate Almonds Vitamins"] Vita Sert A-4000 I. U. B₁-1 Mg. B₂-2 Mg. C-30 Mg. D-400 I. U. 10¢ A bar a day supplies 100% of minimum daily adult requirements of vitamins listed and 10 Mg. Niacin Amide."

RESULTS OF INVESTIGATION: Analyses revealed that the articles were deficient in vitamins A, B₁, and C, and in niacinamide.

CHARGE: Sweet chocolate candy. 402 (b) (2)—sweet chocolate containing added vitamins had been substituted for sweet chocolate; 403 (a)—the label statement on the box "You Get These Vitamins In Every Bar. A . . . 4000 I. U.* B₁ . . . 1 Mg.* C . . . 30 Mg.* Niacinamide . . . 10 Mg.* *These quantities are 100% of minimum adult daily requirements as set by U. S. Government" and the label statement on the bar wrapper "Vitamins A-4000 I. U. B₁-1 Mg. C-30 Mg. A bar a day supplies 100% of minimum daily adult requirements of vitamins listed and 10 Mg. Niacin Amide" were false and misleading; and, 403 (g) (1)—the articles contained added vitamins, which

are not permitted as optional ingredients in the definition and standard for sweet chocolate.

Sweet milk chocolate. 402 (b) (1)—valuable constituents, vitamins A, B₁, and C, and niacinamide, had been in part omitted from the article; and, 403 (a)—the label statements on the bar wrappers "Vitamin A-4000 I. U. B₁-1 Mg. * * * C-30 Mg." and "A bar a day supplies 100% of minimum daily adult requirements of vitamins listed and 10 Mg. Niacin Amide" were false and misleading.

PLEA: Nolo contendere.

DISPOSITION: 6-7-55. \$400 fine, plus costs.

22302. Candy. (F. D. C. No. 35618. S. Nos. 77-131 L, 87-807/10 L.)

INFORMATION FILED: 3-16-55, E. Dist. Pa., against E. G. Whitman & Co., Inc., Philadelphia, Pa.

SHIPPED: Between 8-3-54 and 8-9-54, from Pennsylvania to New Jersey.

LABEL IN PART: (Can) "Snow Drop Mints" or "Mint Souffles."

CHARGE: 402 (a) (3)—contained fly fragments; and, 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 4-19-55. \$250 fine.

22303. Candy and fruitcake. (F. D. C. No. 34863. S. Nos. 19-971 L, 22-645 L, 46-373 L, 53-714 L, 59-146 L.)

INFORMATION FILED: 6-25-53, E. Dist. La., against Tasso Plantation Foods, a partnership, Arabi, La., and Caswell P. Ellis III and Bryan Bell, partners.

SHIPPED: Between 8-4-52 and 11-24-52, from New Orleans, La., to Tampa, Fla.; from Arabi, La., to St. Louis, Mo., Houston, Tex., and Cedar Rapids, Iowa; and from Arabi, La., to New Orleans, La., for shipment to Panama, C. Z.

LABEL IN PART: (Pkg.) "Giant Pops * * * Tasso Plantation Foods 536 Camp Street New Orleans, La." and "Old New Orleans Fruit Cake [or "French Kitchen Fruit Cake"] Manufactured by Tasso Plantation Foods New Orleans, La."

CHARGE: 402 (a) (3)—contained flies, fly parts, larva parts, insects, insect parts, ant parts, and rodent hair fragments; and, 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 2-2-55. Each defendant fined \$100.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS*

22304. Rolls. (F. D. C. No. 37169. S. No. 84-240 L.)

INFORMATION FILED: 11-30-54, Dist. Del., against Del Campo Baking Co., a partnership, Wilmington, Del.

*See also No. 22303.